

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANGEL VALVERDE,

Plaintiff,

-against-

J.D. FOLKS, Correction Officer at Sing Sing Correctional Facility; T.A. CUNNINGHAM, Correction Officer at Sing Sing Correctional Facility; L. BROWN, Correction Officer at Sing Sing Correctional Facility; "JOHN" GONZALEZ, Sergeant at Sing Sing Correctional Facility; "JANE" FRANGELLA, Registered Nurse at Sing Sing Correctional Facility; "JOHN" ORICCO, Lieutenant at Sing Sing Correctional Facility; "JOHN" MAYES, Hearing Officer at Downstate Correctional Facility; ROBERT MORTON, Superintendent of Downstate Correctional Facility; MICHAEL CAPRA, Superintendent of Sing Sing Correctional Facility; JOHN DOES (1-10), Correction Officers at Sing Sing Correctional Facility,

Defendants.

USDC SDNY
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1:19-cv-08080-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court has received a letter from Plaintiff's counsel dated October 21, 2021, in which she represents that Plaintiff, who is presently incarcerated at Attica Correctional Facility, sent her a distraught letter and that Plaintiff fears for his life. [ECF No. 126]. Plaintiff requests that the Court place him in protective custody, investigate alleged recordings of attorney-client communications, and direct that he be moved to a correctional facility near his home in Schenectady. [ECF No. 126].

Plaintiff is directed to submit a request for protective custody and any other relief he seeks with the Department of Corrections and Community Supervision or the Attica Correctional Facility. The Court notes however that Plaintiff appears to have been removed from Sing Sing

Correctional Facility where the alleged section 1983 violations occurred and as such, the issue appears to be moot.

Plaintiff is directed to submit to the Court on or before October 28, 2021 a status letter regarding that request. In that letter, the Plaintiff should include details about the basis for Plaintiff's fear for his safety as well as Plaintiff's prison transfer history. Moreover, to the extent this issue was not mooted by Plaintiff's transfer to Attica Correctional Facility, Plaintiff is directed to explain why it is not in the letter.

SO ORDERED.

Date: October 22, 2021
New York, NY

Mary Kay Vyskocil
MARY KAY VYSKOCIL
United States District Judge